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WELSH STATUTORY INSTRUMENTS

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**2006 No. 1849 (W.192)**

**LOCAL GOVERNMENT, WALES**

The Standards Committees (Wales)  
(Amendment) Regulations 2006

Made - - - - 11 July 2006

Coming into force - - 14 July 2006

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 53(11), 54A(5)(a) and 56(5) of the Local Government Act 2000(1) hereby makes the following Regulations:

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Standards Committees (Wales) (Amendment) Regulations 2006 and these Regulations come into force on 14 July 2006.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

“the 2001 Regulations” (“*Rheoliadau 2001*”) means the Standards Committees (Wales) Regulations 2001(2).

**Amendments to the 2001 Regulations**

2. The 2001 Regulations are amended as follows.

3. In regulation 2—

(a) in the appropriate place in alphabetical order insert—

““community sub-committee” (“*is-bwyllgor cymunedol*”) means a sub-committee appointed by a standards committee of a local authority under section 56 of the 2000 Act;”;

(b) in the appropriate place in alphabetical order insert—

““section 54A sub-committee” (“*is-bwyllgor adran 54A*”) means a sub-committee appointed by a standards committee of a relevant authority under section 54A(1) of the 2000 Act;”;

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(1) 2000 c. 22; section 53(11) was amended by section 35, Schedule 4, paragraphs 1 and 4 of the Public Services Ombudsman (Wales) Act 2005 (c. 10); and section 54A was inserted by section 113 of the Local Government Act 2003 (c. 26).

(2) S.I.2001/2283 (W.172) as amended by S.I. 2005/2929 (W.214).

- (c) in the definition of “standards committee”, for “includes a sub-committee of a standards committee;” substitute “includes a section 54A sub-committee and a community sub-committee.”; and
  - (d) omit the definition of “sub-committee of a standards committee”.
4. For regulation 3, substitute—
- “3.—(1) Subject to paragraph (2) a standards committee shall consist of not less than five nor more than nine members.
  - (2) A section 54A sub-committee shall consist of not less than three members.”.
5. For regulation 10, there is substituted—
- “10.—(1) The membership of a standards committee of a local authority which is to discharge functions in relation to—
    - (a) community councils which are situated in that local authority’s area; and
    - (b) the members of those community councils,shall include at least one community committee member.
  - (2) Subject to paragraph (3) the appointment of a community committee member to a standards committee of a local authority which is to discharge the functions described in sub-paragraphs (1)(a) and (b) shall be made by that local authority.
  - (3) Before making an appointment under paragraph (2) the local authority shall consult—
    - (a) community councils which are situated within its area; and
    - (b) community council associations established for and operating within that area (if any).”.
6. After regulation 18, insert—
- “18A.—(1) The term of office of a member of a local authority standards committee who is a community committee member shall be no more than—
    - (a) four years; or
    - (b) the period until the ordinary elections for the community council of which the community committee member is a member next following the appointment of that person as a community committee member of that committee,whichever is the shorter.
  - (2) A community committee member shall cease to be a member of a local authority standards committee if that member ceases to be a member of a community council within the area of the local authority concerned.”.
7. For paragraph (2) of regulation 21, substitute—
- “(2) Subject to paragraph (4) an independent member of the standards committee of a relevant authority may be reappointed by that relevant authority for one further consecutive term.
  - (3) In reappointing an independent member under paragraph (2), the relevant authority is not obliged to comply with the requirements imposed by regulations 13 to 17.
  - (4) Where an independent member is reappointed under paragraph (2), that further consecutive term shall not exceed four years.”.
8. After regulation 21, insert—

“**21A.**—(1) Subject to paragraph (2) of regulation 18A, a community committee member of the standards committee of a local authority may be reappointed by that local authority for one further consecutive term.

(2) Before making a reappointment of a community committee member under paragraph (1) the local authority shall consult—

- (a) community councils which are situated within its area; and
- (b) community council associations established for and operating within that area (if any).”.

9. After paragraph (9) of regulation 22, insert—

“(10) Nothing in these Regulations prevents the members of a standards committee electing a chairperson or a vice-chairperson who is an independent member of that committee and who—

- (a) has been reappointed as such a member under regulation 21(2); and
- (b) was elected as chairperson or vice-chairperson of that committee during that member’s first term of office.”.

10. For regulation 24, substitute—

“**24.**—(1) No business shall be transacted at a meeting of a standards committee, other than a section 54A sub-committee, unless—

- (a) at least three members are present, including the chairperson; and
- (b) at least half the members present (including the chairperson) are independent members.

(2) No business shall be transacted at a meeting of a section 54A sub-committee unless—

- (a) at least two members are present, including the chairperson; and
- (b) at least half the members present (including the chairperson) are independent members.

(3) For the purposes of paragraphs (1) and (2) the term “chairperson” includes—

- (a) a vice-chairperson presiding in pursuance of paragraph (4) of regulation 22; and
- (b) an independent member presiding in pursuance of paragraph (5) of regulation 22.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

11 July 2006

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Part III of the Local Government Act 2000 (“the Act”) makes provision with respect to the conduct of local government members and employees.

Section 53(1) of the Act requires every relevant authority, which in Wales includes county and county borough councils, fire and rescue authorities, National Park authorities and police authorities but not community councils, to establish a standards committee which is to have the functions conferred on it by or under Part III of the Act.

Under section 53(11) of the Act, the National Assembly for Wales may by regulations make provision as to (among other things) the size, composition and proceedings of standards committees of relevant authorities in Wales, other than police authorities, and of any sub-committees established under section 54A or section 56 of the Act.

These Regulations amend the Standards Committees (Wales) Regulations 2001 (“the 2001 Regulations”).

Regulation 3 introduces a new definition (“section 54A sub-committee”) into regulation 2 of the 2001 Regulations. Section 54A of the Act was inserted by section 113 of the Local Government Act 2003. Section 54A of the Act entitles a standards committee of a relevant authority to appoint one or more sub-committees for the purpose of discharging any of the committee’s functions (other than functions under section 55 or section 56 of the Act).

Regulation 4 substitutes a new regulation 3 into the 2001 Regulations which makes new provision as to the size of a sub-committee appointed under section 54A of the Act (a section 54A sub-committee).

Regulation 5 substitutes a new regulation 10 into the 2001 Regulations. That new regulation 10 provides that the appointment of a “community committee member” to a standards committee of a local authority is to be made by that local authority. Before making such an appointment, the local authority is obliged to consult the bodies specified in regulation 10(3)(a) and (b).

Regulation 6 inserts a new regulation 18A into the 2001 Regulations. That new regulation 18A makes provision as to the term of office of a “community committee member” of a standards committee of a local authority.

Regulation 7 substitutes new paragraphs (2), (3) and (4) into regulation 21 of the 2001 Regulations. Those new paragraphs make provision as to the reappointment of an independent member of a standards committee.

Regulation 8 inserts a new regulation 21A into the 2001 Regulations. That new regulation 21A makes provision as to the reappointment of a “community committee member” of the standards committee of a local authority. Regulation 21A(2) provides that before making such a reappointment the local authority must consult the bodies specified in regulation 21A(2)(a) and (b).

Regulation 9 inserts a new paragraph (10) into regulation 22 of the 2001 Regulations. That new paragraph confirms that an independent member of a standards committee who has been reappointed to a standards committee for a further consecutive term may be elected as a chairperson or a vice-chairperson of that committee.

Regulation 10 substitutes a new regulation 24 into the 2001 Regulations. That new regulation 24 provides that the quorum for a meeting of a section 54A sub-committee is two members (including the chairperson of that sub-committee). That new regulation also clarifies the meaning of the term “chairperson” in regulation 24(1) and (2).

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